

INTERPRETER

**U.S. District Court
Southern District of Florida (Miami)
CRIMINAL DOCKET FOR CASE #: 1:11-cr-20225-FAM-2**

Case title: USA v. Rodriguez-Torres et al

Date Filed: 03/29/2011

Date Terminated: 08/08/2013

Assigned to: Chief Judge Federico A.
Moreno

13 CRIM862

Defendant (2)

Evaristo Linares

92001-054

1965 SPANISH

TERMINATED: 08/08/2013

represented by **Ruben Oliva**

Rojas & Oliva

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Pembroke Pines, FL 33027

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Retained

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

MANUFACTURE/DISTR IMPORT

CONTRL SUBST

(1)

MONEY LAUNDERING -

INTERSTATE COMMERCE

(3)

Disposition

Consent to Transfer of Case for Plea and
Sentencing

Consent to Transfer of Case for Plea and
Sentencing

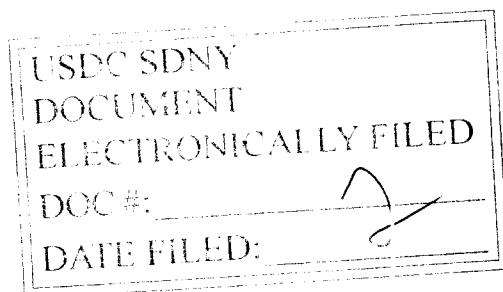
Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition



Plaintiff

USA

represented by **Andrea G. Hoffman**
United States Attorney's Office
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TERMINATED: 01/24/2013
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ATTORNEY TO BE NOTICED

Date Filed	#	Page	Docket Text
06/14/2011	<u>4</u>	6	SUPERSEDING INDICTMENT as to Javier Ivan Rodriguez-Torres (1) count(s) 1s, 2s, Evaristo Linares (2) count(s) 1, 3, Jorge Blanco Rodriguez (3) count(s) 1, 3, Mario Trejo (4) count(s) 1, 2. (lk) (Entered: 06/14/2011)
06/15/2011			SYSTEM ENTRY - Docket Entry 7 restricted/sealed until further notice. (lk) (Entered: 06/15/2011)
06/29/2011	<u>2</u>		ORDER Transferring to Fugitive Status as to Javier Ivan Rodriguez-Torres, Evaristo Linares, Jorge Blanco Rodriguez, Mario Trejo. Signed by Chief Judge Federico A. Moreno on 6/29/2011. (sc) (Entered: 06/29/2011)
01/24/2013	<u>13</u>		NOTICE of Reassignment of Assistant US Attorney. Andrea G. Hoffman appearing for USA. Jared E. Dwyer terminated (Hoffman, Andrea) (Entered: 01/24/2013)
04/29/2013	<u>14</u>		NOTICE OF ATTORNEY APPEARANCE: Ruben Oliva appearing for Evaristo Linares (Oliva, Ruben) (Entered: 04/29/2013)
05/23/2013			Set Hearings as to Evaristo Linares: Arraignment set for 5/24/2013 02:00 PM in Miami Division before MIA Duty Magistrate. Detention Hearing set for 5/24/2013 02:00 PM in Miami Division before MIA Duty Magistrate. Initial

		Appearance set for 5/24/2013 02:00 PM in Miami Division before MIA Duty Magistrate. (cfl) (Entered: 05/23/2013)
05/24/2013	<u>15</u>	Minute Order for proceedings held before Magistrate Judge Barry L. Garber: Arraignment as to Evaristo Linares (2) Count 1,3 held on 5/24/2013, Initial Appearance as to Evaristo Linares held on 5/24/2013. STIPULATED PRETRIAL DETENTION WITH THE RIGHT TO REVIST. Spanish Interpreter present. (Digital 14:21:02.) Signed by Magistrate Judge Barry L. Garber on 5/24/2013. (af) (Entered: 05/28/2013)
05/28/2013	<u>16</u>	Report Commencing Criminal Action as to Evaristo Linares – YOB: **/**/1965 Prisoner #: 92001–054 (ots) (Entered: 05/28/2013)
05/28/2013	<u>17</u>	ARRAIGNMENT INFORMATION SHEET Not Guilty Plea entered as to counts Evaristo Linares (2) Count 1,3. Court accepts plea. Arraignment held on 5/28/2013 before Magistrate Judge Barry L. Garber. (ots) (Entered: 05/28/2013)
05/28/2013	<u>18</u>	STANDING DISCOVERY ORDER as to Evaristo Linares. All motions concerning matters not covered by this order must be filed within 28 days of this order Signed by Magistrate Judge Barry L. Garber on 5/24/2013. (ots) (Entered: 05/28/2013)
05/28/2013	<u>19</u>	ORDER OF DETENTION as to Evaristo Linares. Signed by Magistrate Judge Barry L. Garber on 5/28/2013. (kee) (Entered: 05/28/2013)
05/29/2013	<u>20</u>	Arrest Warrant returned executed on 5/24/2013 as to Evaristo Linares re <u>7</u> Arrest Warrant Issued (ots) (Entered: 05/29/2013)
06/04/2013	<u>21</u>	SCHEDULING ORDER as to Evaristo Linares Calendar Call set for 6/25/2013 02:00 PM in Miami Division before Chief Judge Federico A. Moreno. Jury Trial set for 7/1/2013 09:00 AM in Miami Division before Chief Judge Federico A. Moreno. Signed by Judge Robert N. Scola, Jr on 6/4/2013. (sc) (Entered: 06/04/2013)
06/05/2013	<u>22</u>	NOTICE OF ATTORNEY APPEARANCE Kurt K. Lunkenheimer appearing for USA. . Attorney Kurt K. Lunkenheimer added to party USA(pty:pla). (Lunkenheimer, Kurt) (Entered: 06/05/2013)
06/14/2013	<u>23</u>	First RESPONSE to Standing Discovery Order by USA as to Evaristo Linares (Lunkenheimer, Kurt) (Entered: 06/14/2013)
06/25/2013	<u>24</u>	Minute Entry for proceedings held before Chief Judge Federico A. Moreno: Calendar Call as to Evaristo Linares held on 6/25/2013. Court Reporter: Gilda Pastor–Hernandez, 305–523–5118 / Gilda_Pastor–Hernandez@flsd.uscourts.gov (sc) (Entered: 06/26/2013)
06/25/2013	<u>25</u>	ORDER CONTINUING TRIAL as to Evaristo Linares, (Calendar Call set for 9/17/2013 02:00 PM in Miami Division before Chief Judge Federico A. Moreno., Jury Trial set for 9/23/2013 09:00 AM in Miami Division before Chief Judge Federico A. Moreno.) Signed by Chief Judge Federico A. Moreno on 6/25/2013. (sc) (Entered: 06/27/2013)
07/02/2013	<u>26</u>	NOTICE OF ATTORNEY APPEARANCE: Ruben Oliva appearing for Evaristo Linares (Oliva Ruben) (Entered: 07/02/2013)

08/07/2013	<u>27</u>		CONSENT/MOTION to Transfer of Case for Plea and Sentencing by USA, Evaristo Linares as to Evaristo Linares. (lh) (Entered: 08/08/2013)
08/08/2013	28	5	CONSENT TO TRANSFER JURISDICTION (Rule 20) to Counts closed as to Evaristo Linares (2) Count 1,3. (lh)see DE# <u>27</u> for image (Entered: 08/08/2013)

MIME-Version:1.0
From:cmechautosender@flsd.uscourts.gov
To:flsd_cmecf_notice
Bcc:
--Case Participants: Andrea G. Hoffman (andrea.hoffman726@gmail.com, andrea.hoffman@usdoj.gov, kerri.l.isern@usdoj.gov), Kurt K. Lunkenheimer (ashley.hampton@usdoj.gov, kurt.lunkenheimer@usdoj.gov), Ruben Oliva (criminallaw01@gmail.com, oliva@rojasoliva.com), Chief Judge Federico A. Moreno (moreno@flsd.uscourts.gov)
--Non Case Participants: Financial Clerk (flsd_financial@flsd.uscourts.gov)
--No Notice Sent:

Message-Id:11617218@flsd.uscourts.gov
Subject:Activity in Case 1:11-cr-20225-FAM USA v. Rodriguez-Torres et al Rule 20 - Transfer Out
Content-Type: text/html

U.S. District Court
Southern District of Florida

Notice of Electronic Filing

The following transaction was entered on 8/8/2013 at 2:13 PM EDT and filed on 8/8/2013

Case Name: USA v. Rodriguez-Torres et al

Case Number: 1:11-cr-20225-FAM

Filer:

Document Number: 28(No document attached)

Docket Text:

CONSENT TO TRANSFER JURISDICTION (Rule 20) to Counts closed as to Evaristo Linares (2) Count 1,3. (lh)see DE#[27] for image

1:11-cr-20225-FAM-2 Notice has been electronically mailed to:

Andrea G. Hoffman andrea.hoffman@usdoj.gov, Andrea.hoffman726@gmail.com, kerri.l.isern@usdoj.gov

Kurt K. Lunkenheimer kurt.lunkenheimer@usdoj.gov, ashley.hampton@usdoj.gov

Ruben Oliva oliva@rojasoliva.com, criminallaw01@gmail.com

1:11-cr-20225-FAM-2 Notice has not been delivered electronically to those listed below and will be provided by other means. For further assistance, please contact our Help Desk at 1-888-318-2260.:

STEVEN M. LARIMORE
CLERK U.S. DIST. CT.
S.D. OF FLA. - MIAMI

6

**a/k/a "Don Eva,"
a/k/a "Caja Fuerte,"
JORGE BLANCO RODRIGUEZ,
a/k/a "Flonchis,"
and
MARIO TREJO,
a/k/a "Chiquito,"
a/k/a "Don Mario,"**

did knowingly and intentionally combine, conspire, confederate, and agree with each other and with other persons both known and unknown to the Grand Jury, to distribute a Schedule II controlled substance, knowing that such substance would be unlawfully imported into the United States, in violation of Title 21, United States Code, Section 959(a)(2); all in violation of Title 21, United States Code, Section 963.

Pursuant to Title 21, United States Code, Section 960(b)(1)(B), it is further alleged that this violation involved five (5) kilograms or more of a mixture and substance containing a detectable amount of cocaine.

COUNT 2

On or about November 6, 2006, in the countries of Colombia, Honduras, and elsewhere, the defendants,

**JAVIER IVAN RODRIGUEZ-TORRES,
a/k/a "Andres,"
and
MARIO TREJO,
a/k/a "Chiquito,"
a/k/a "Don Mario,"**

did knowingly and intentionally manufacture and distribute a Schedule II controlled substance, knowing that such substance would be unlawfully imported into the United States, in violation of Title 21, United States Code, Section 959(a)(2) and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 960(b)(1)(B), it is further alleged that this violation involved five (5) kilograms or more of a mixture and substance containing a detectable amount of cocaine.

COUNT 3

From in or about May 2007, and continuing through in or about March 2010, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

EVARISTO LINARES,
a/k/a "Don Evo,"
a/k/a "Don Eva," and
a/k/a "Caja Fuerte,"
and
JORGE BLANCO RODRIGUEZ,
a/k/a "Flonchis,"

did knowingly combine, conspire, confederate and agree with other persons, both known and unknown to the Grand Jury, to commit certain offenses against the United States, in violation of Title 18, United States Code, Sections 1956 and 1957, namely:

(a) to knowingly conduct a financial transaction affecting interstate and foreign commerce, which transaction involved the proceeds of specified unlawful activity, knowing that the property involved in the financial transaction represented the proceeds of some form of unlawful activity, with the intent to promote the carrying on of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(A)(i);

(b) to knowingly conduct a financial transaction affecting interstate and foreign commerce, which transaction involved the proceeds of specified unlawful activity, knowing that the property involved in the financial transaction represented the proceeds of some form of unlawful activity, knowing that the transaction was designed in whole and in part to conceal and disguise the

nature, location, source, ownership and control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i); and

(c) to knowingly engage in a monetary transaction in criminally derived property of a value greater than \$10,000 and is derived from specified unlawful activity, in violation of Title 18, United States Code, Section 1957.

It is further alleged that the specified unlawful activity is the felonious importation, exportation, receiving, concealing, buying, selling, and otherwise dealing in a controlled substance, punishable under the laws of the United States and Colombia.

All in violation of Title 18, United States Code, Section 1956(h).

CRIMINAL FORFEITURE

a. The allegations contained in Counts 1 through 3 of this Superseding Indictment are realleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendant has an interest.

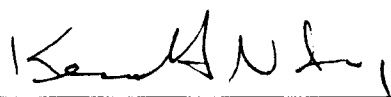
b. Upon conviction of any offense charged in Counts 1 and 2 of this Superseding Indictment, the defendants shall forfeit to the United States any property constituting or derived from any proceeds which the defendants obtained, directly or indirectly, as the result of such violations, and any property which the defendant used or intended to be used in any manner or part to commit or to facilitate the commission of such violation pursuant to Title 21, United States Code, Section 853(a)(1) and (2).

c. Upon conviction of the offense charged in Count 3, the defendant shall forfeit to the United States any property, real or personal, involved in such offense or any property traceable to such property, pursuant to Title 18, United States Code, Section 982(a)(1).

All pursuant to Title 21, United States Code, Section 853 and Title 18, United States Code,
Section 982.

A TRUE BILL

FOR PERSON


WIFREDO A. FERRER
UNITED STATES ATTORNEY


JARED E. DWYER
ASSISTANT UNITED STATES ATTORNEY

11

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: JAVIER IVAN RODRIGUEZ-TORRES

Case No: 11-20225-CR-MORENO/TORRES(s)

Count #: 1

Conspiracy to distribute cocaine knowing that it would be imported into the United States

Title 21, United States Code, Section 963

*** Max. Penalty:** Life Imprisonment

Count #: 2

Manufacture and Distribution of cocaine knowing that it would be imported into the United

States

Title 21, United States Code, Section 959(a)(2)

*** Max. Penalty:** Life Imprisonment

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: EVARISTO LINARES

Case No: 11-20225-CR-MORENO/TORRES(s)

Count #: 1

Conspiracy to distribute cocaine knowing that it would be imported into the United States

Title 21, United States Code, Section 963

*** Max. Penalty:** Life Imprisonment

Count #: 3

Conspiracy to launder money

Title 18, United States Code, Section 1956(h)

*** Max. Penalty:** Twenty (20) Years' Imprisonment

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: JORGE BLANCO RODRIGUEZ

Case No: 11-20225-CR-MORENO/TORRES(s)

Count #: 1

Conspiracy to distribute cocaine knowing that it would be imported into the United States

Title 21, United States Code, Section 963

*** Max. Penalty:** Life Imprisonment

Count #: 3

Conspiracy to launder money

Title 18, United States Code, Section 1956(h)

*** Max. Penalty:** Twenty (20) Years' Imprisonment

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: MARIO TREJO

Case No: 11-20225-CR-MORENO/TORRES(s)

Count #: 1

Conspiracy to distribute cocaine knowing that it would be imported into the United States

Title 21, United States Code, Section 963

* Max. Penalty: Life Imprisonment

Count #: 2

Manufacture and Distribution of cocaine knowing that it would be imported into the United States

Title 21, United States Code, Section 959(a)(2)

* Max. Penalty: Life Imprisonment

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**